

EXHIBIT 1

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MICHAEL GAFFNEY,

Plaintiff,

v.

MUHAMMAD ALI ENTERPRISES LLC,
a New York Limited Liability Company,
and AUTHENTIC BRANDS GROUP LLC,
a New York Limited Liability Company,

Defendants.

Civil Action No.: 18-CV-08770

Judge: GBD

Magistrate: OTW

**PLAINTIFF'S FIRST SET OF
REQUESTS FOR PRODUCTION**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Plaintiff Michael Gaffney ("Mr. Gaffney") request that defendants Muhammad Ali Enterprises LLC ("MAE") and Authentic Brands Group LLC ("ABG") (collectively "Defendants") produce the following documents at the offices of Plaintiff counsel's offices within the time and in the manner prescribed by the Federal Rules of Civil Procedure.

DEFINITIONS

1. Mr. Gaffney incorporates each of the definitions and rules of construction as specified in L.R. 26.3.
2. The term "Agreement" means that certain agreement dated as of February 1, 2011 between Mr. Gaffney and MAE, granting MAE rights in certain of the Photographs.
3. The term "Copy" means to reproduce, create a derivative work, display publicly or distribute a photograph, in whole or in part.
4. The term "DAM" means a digital asset management system, digital rights management system or content management system used to manage assets, such as photographs in a digital format.

5. The term “License” and “Licensing” means to grant any Person the right to Copy any photograph.

6. The term “Linked Website” means any Website that is referred, linked, advertised, mentioned or recommended to be visited by MAE and/or ABG, including, without limitation, through MAE and/or ABG’s social media posts (or any social media post from an account owned, controlled or affiliated with MAE and/or ABG), Concerning Mahammad Ali.

7. The term “Photographs” means all photographs created and owned by Mr. Gaffney.

8. The term “Term” means the term of the Agreement from February 1, 2011 through and including January 31 2015.

9. The term “Website” means any web page accessible on the Internet, either directly through the world wide web or through computer or mobile application, including, without limitation, all social media platforms (e.g., Facebook, Instagram and Twitter).

ADDITIONAL INSTRUCTIONS

A. Electronic records and computerized information must be produced in an intelligible format or together with a description of the system from which it was derived sufficient to permit rendering the materials intelligible.

B. Electronic records and computerized information must be produced with their respective meta-data.

C. In producing Documents, furnish all Documents known or available to Defendants regardless of whether such Documents are possessed directly by Defendants, or by any parent, subsidiary or affiliated corporation, or by any of Defendants’ officers, directors, employees, agents, or representatives, as well as any other Documents in Defendants’ custody or control.

D. File folders with tabs or labels identifying Documents called for by this Request must be produced intact with such Documents.

E. The selection of Documents from the files and other sources and the numbering of such Documents shall be performed in such a manner as to ensure that the source of each Document may be determined, if necessary.

F. Documents attached to each other must not be separated.

G. Unless otherwise specified, the time period for each Request shall be during or after the Term.

REQUESTS FOR PRODUCTION

REQUEST FOR PRODUCTION NO. 1. A native digital copy (with metadata) of each Photograph as it was originally obtained by MAE.

REQUEST FOR PRODUCTION NO. 2. A native digital copy (with metadata) of each Photograph Copied by MAE, including, without limitation, as it appeared on any Website owned, controlled, affiliated or sponsored by MAE.

REQUEST FOR PRODUCTION NO. 3. A native digital copy (with metadata) of each Photograph Copied by ABG, including, without limitation, as it appeared on any Website owned, controlled, affiliated or sponsored by ABG.

REQUEST FOR PRODUCTION NO. 4. All Documents and Communications with any Person Concerning the selection, Copying, Licensing, payment, use or infringement of each of the Photographs.

REQUEST FOR PRODUCTION NO. 5. All Documents and Communications Concerning any corporate policy or internal guidelines of MAE Concerning the Copying of photographs (including, without limitation, the Photographs) by any person, including without limitation, MAE.

REQUEST FOR PRODUCTION NO. 6. All Documents and Communications

Concerning any corporate policy or internal guidelines of ABG Concerning the Copying of photographs (including, without limitation, the Photographs) by any person, including without limitation, ABG.

REQUEST FOR PRODUCTION NO. 7. All Documents and Communications

Concerning any corporate policy or internal guidelines of MAE Concerning the Licensing of photographs (including, without limitation, the Photographs) by any person, including without limitation, MAE.

REQUEST FOR PRODUCTION NO. 8. All Documents and Communications

Concerning any corporate policy or internal guidelines of ABG Concerning the Licensing of photographs (including, without limitation, the Photographs) by any person, including without limitation, ABG.

REQUEST FOR PRODUCTION NO. 9. All Documents and Communications

Concerning any agreement or license between/among MAE and any Person Concerning any right to Copy any of the Photographs, including, without limitation, any so-called “subscription” or “blanket license” Concerning photographs inclusive of one of more of the Photographs.

REQUEST FOR PRODUCTION NO. 10. All Documents and Communications

Concerning any agreement and licenses between/among ABG and any Person Concerning any right to Copy any of the Photographs, including, without limitation, any so-called “subscription” or “blanket license” Concerning photographs inclusive of one of more of the Photographs.

REQUEST FOR PRODUCTION NO. 11. All Documents and Communications

sufficient to show all of the dates MAE Copied each of the Photographs, including, without limitation on a Website.

REQUEST FOR PRODUCTION NO. 12. All Documents and Communications sufficient to show all of the dates ABG Copied each of the Photographs, including, without limitation on a Website.

REQUEST FOR PRODUCTION NO. 13. All Documents sufficient to show the Copying of each of the Photographs, including, without limitation screenshots or printouts of any pages on a Website.

REQUEST FOR PRODUCTION NO. 14. All Documents and Communications sufficient to show the analytics or other tools used to measure, count, direct or otherwise manage web-traffic to or from any Website.

REQUEST FOR PRODUCTION NO. 15. All Documents sufficient to show ABG and/or MAE's ownership or control of any so-called "fan" Website, including, without limitation, "Muhammad Ali The Greatest" and "Muhammad Ali, GOAT (Greatest of all Time)."

REQUEST FOR PRODUCTION NO. 16. All Communications between/among Mr. Gaffney and MAE.

REQUEST FOR PRODUCTION NO. 17. All Communications between/among Mr. Gaffney and ABG.

REQUEST FOR PRODUCTION NO. 18. All Communications between/among MAE or ABG Concerning any of the Photographs.

REQUEST FOR PRODUCTION NO. 19. Copies of all digital records (in a readily accessible, computer readable format) contained in any DAM that is (or was previously) used by MAE to store copies or information Concerning the Photographs, including, without limitation, the terms and scope of MAE's rights in the Photographs, the terms of any license to any Person Concerning the Photographs or the Copying or other use of the Photographs.

REQUEST FOR PRODUCTION NO. 20. Copies of all digital records (in a readily accessible, computer readable format) contained in any DAM that is (or was previously) used by ABG to store copies or information Concerning the Photographs, including, without limitation, the terms and scope of MAE's rights in the Photographs, the terms of any license to any Person Concerning the Photographs or the Copying or other use of the Photographs.

REQUEST FOR PRODUCTION NO. 21. Documents sufficient to show the schema used in MAE's DAM referenced in Request No. 19 above, including, without limitation, the DAM fields used to store or communicate copyright management information (including, without limitation, the creator, author, copyright owner, title of the work), purchase order/invoice information, other document references, usage rights (e.g., permissions, constraints and obligations by media type, placement, size, quantity, languages, regions and versions) and licensee information.

REQUEST FOR PRODUCTION NO. 22. Documents sufficient to show the schema used in ABG's DAM referenced in Request No. 20 above, including, without limitation, the DAM fields used to store or communicate copyright management information (including, without limitation, the creator, author, copyright owner, title of the work), purchase order/invoice information, other document references, usage rights (e.g., permissions, constraints and obligations by media type, placement, size, quantity, languages, regions and versions) and licensee information.

REQUEST FOR PRODUCTION NO. 23. Documents sufficient to show the security protocols/rules employed by MAE for access to use MAE's DAM referenced in Request No. 19 above.

REQUEST FOR PRODUCTION NO. 24. Documents sufficient to show the security protocols/rules employed by ABG for access to use ABG's DAM referenced in Request No. 20 above.

REQUEST FOR PRODUCTION NO. 25. Documents sufficient to show who had access to MAE's DAM referenced in Request No. 19.

REQUEST FOR PRODUCTION NO. 26. Documents sufficient to show who had access to ABG's DAM referenced in Request No. 20.

REQUEST FOR PRODUCTION NO. 27. With respect to MAE's DAM referenced in Request No. 19, Documents sufficient to show the backup methodology, the schedule used for backups of the DAM and the disposal or destruction dates for any backups of the DAM no longer in MAE's possession or control.

REQUEST FOR PRODUCTION NO. 28. With respect to ABG's DAM referenced in Request No. 20, Documents sufficient to show the backup methodology, the schedule used for backups of the DAM and the disposal or destruction dates for any backups of the DAM no longer in ABG's possession or control.

REQUEST FOR PRODUCTION NO. 29. All Documents Concerning the transfer, upload or download through file transfer protocol ("FTP") of any copy of a Photograph, including, without limitation, event logs.

REQUEST FOR PRODUCTION NO. 30. All Documents sufficient to show MAE's gross revenues earned during the Term and after the Term from all sources.

REQUEST FOR PRODUCTION NO. 31. All Documents sufficient to show MAE's net revenues earned during the Term and after the Term from all sources.

REQUEST FOR PRODUCTION NO. 32. Documents sufficient to show all Linked Websites.

REQUEST FOR PRODUCTION NO. 33. Documents sufficient to show all products and services sold by or through any Linked Website.

REQUEST FOR PRODUCTION NO. 34. All Documents sufficient to show MAE's gross revenues earned during the Term and after the Term, both directly from the Copying or Licensing of photographs (including, without limitation, the Photographs) and indirectly through the use of photographs (including, without limitation, the Photographs) to advertise, promote, market or otherwise exploit other works, goods or services, including without limitation, products or services sold by or through any Linked Website.

REQUEST FOR PRODUCTION NO. 35. All Documents sufficient to show MAE's net revenues earned during the Term and after the Term, both directly from the Copying or Licensing of photographs (including, without limitation, the Photographs) and indirectly through the use of photographs (including, without limitation, the Photographs) to advertise, promote, market or otherwise exploit other works, goods or services, including without limitation, products or services sold by or through any Linked Website.

REQUEST FOR PRODUCTION NO. 36. All Documents sufficient to show ABG's gross revenues earned during the Term and after the Term, both directly from the Copying or Licensing of the Photographs and indirectly through the use of one or more of the Photographs to advertise, promote, market or otherwise exploit other works, goods or services, including without limitation, products or services sold by or through any Linked Website.

REQUEST FOR PRODUCTION NO. 37. All Documents sufficient to show ABG's net revenues earned during the Term and after the Term, both directly from the Copying or Licensing of the Photographs and indirectly through the use of one or more of the Photographs to advertise, promote, market or otherwise exploit other works, goods or services, including without limitation, products or services sold by or through any Linked Website.

REQUEST FOR PRODUCTION NO. 38. All Documents that MAE intends to rely upon to show whether MAE's profits are attributable to factors other than infringement of the copyrights in the Photographs.

REQUEST FOR PRODUCTION NO. 39. All Documents that ABG intends to rely upon to show whether ABG's profits are attributable to factors other than infringement of the copyrights in the Photographs.

REQUEST FOR PRODUCTION NO. 40. All Documents that MAE and ABG intend to rely on in support of any calculation of damages.

Respectfully submitted,

Dated: May 4, 2020

By: /s/ Robert E. Allen

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